

**DECLARATION**

As below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our name.

The below named inventors are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled, **FAULT-TOLERANT ROTARY ACTUATOR**, the Specification of which:

X is attached hereto.  
\_\_\_\_ was filed on \_\_\_\_\_, as Application Serial No. \_\_\_\_\_.

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims.

We acknowledge the duty to disclose to the Patent and Trademark Office all information known to us to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56.

We hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

NONE

We hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

U. S. Provisional Patent Application No. 60/411,979  
Filed on September 19, 2002

We hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, we acknowledge the duty to disclose all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56, which become available between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.) (Filing Date) (Status)

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We hereby direct that all correspondence and telephone calls be addressed to Gardere Wynne Sewell LLP, 1601 Elm Street, Suite 3000, Dallas, Texas 75201-4761, (214) 999-3000.

We hereby declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

First Inventor's Full Name: Delbert (NMI) Tesar  
                                  (First)              (Initial)          (Last)

Inventor's Signature: \_\_\_\_\_

Date: \_\_\_\_\_ Country of Citizenship: US \_\_\_\_\_

Residence Address: 8005 Two Coves Drive, Austin, Texas 78701  
**(Include number, street name, city, state, and country)**

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(if different from  
residence address)